

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
THE STATE OF TEXAS, *et al.*,

Plaintiff,

- against -

PENGUIN GROUP (USA) INC., *et al.*,

Defendants.  
----- X

Civil Action No. 1:12-CV-3394 (DLC)

ECF Case

**NOTICE OF APPEAL**

Notice is hereby given that Defendant Holtzbrinck Publishers, LLC d/b/a Macmillan appeals to the United States Court of Appeals for the Second Circuit from the Plaintiff States' Order Entering Permanent Injunction, entered in this action by Judge Denise Cote of this Court on September 6, 2013 and attached hereto as Exhibit A.

Dated: New York, New York  
October 4, 2013

Respectfully submitted,

SIDLEY AUSTIN LLP

By: /s/ Joel M. Mitnick

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CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2013, a true and correct copy of the foregoing Notice of Appeal was filed electronically through the Court's ECF system. In accordance with Local Civil Rule 5.2 of the United States District Courts for the Southern and Eastern Districts of New York as well as Local Rule 3.1 of the United States Court of Appeals for the Second Circuit, the Notice of Appeal has thereby been served electronically on counsel for all parties in these actions.

Dated: New York, New York  
October 4, 2013

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